May 7, 1970

Mr. Arlen Specter
District Attorney's
Office
666 City Hall
Philadelphia, Pa. 19107

Dear Mr. Specter:

If you recall, I spoke with you last evening by telephone on the Jack McKinney show. We discussed a certain aspect of the Warren Commission, the spectrographic analysis.

I believe my initial (and only intended) question to you was directed at ascertaining why the detailed results of the spectrographic analysis were not introduced into evidence by the Commission. While you did not personally question the spectrographer (and in his testimony never was the question asked of his analysis of the bullets), you did question before the Commission the only man who was ever asked about the test results. I do not believe that my question was ever answered.

In the course of our conversation, I made several statements without having the actual testimony before me. Subsequently, I have reviewed the record in terms of my recollection of certain statements which I made to check their accuracy.

As I recall, you challanged me on two occasions as to the accuracy of the facts I was asserting. I believe the two points of information are these: (1) I stated that FBI Agent Robert Frazier, the ballistics expert who you questioned, informed you during his testimony that "he was not the man to ask about the spectrographic analysis" or that "this information was secondhand to him." (2) I asserted that Frazier never termed the results of this analysis "inconclusive" as to whether certain fragments came from certain bullets, that he used only the term "consistant with" their having come from suspected bullets.

Having consulted the record on these matters, I submit the following remarks.

(1) I believe that my essential arguement concerning Frazier's assertion that he was not the man to question is valid. However, if I gave the impression of quoting Mr. Frazier verbatim, then I sincerely apologize for that was not my intention. Let me cite the appropriate references for you so that you may decide for yourself.

At one point under your questioning, Frazier made it very clear that it was not his "job" to perform the spectrographic analysis. The following is taken from volume 5 of the hearings, page 68.

> Specter: Was it your job to analyze all of the bullets or bullet fragments which were found in the President's car?

Frazier: Yes; it was, except for the spectrographic analysis of the composition.

On two occasions, Frazier emphasizes that these tets were run by someone other than himself. At page 67 of volume 5, he says, "That examination was performed by a spectrographer, John F. Gallagher, and I do not have the results of his examination here..." At page 69 of that same volume, Frazier speaks briefly on the composition of certain specimens and adds, "However, that examination in detail was made by a spectrographer, Special Agent John F. Gallagher." Furthermore, if you will check page 392 of volume 3, where Frazier was sworn in, you will find that he was accpeted only as a "qualified witness on firearms."

As for my contention that these tests were "secondhand" to Frazier, I likewise believe that I am essentially correct. It is absolutely correct that Gallagher submitted "his report" to Frazier, although it is unkown just what was contained in the report (see volume 5, pages 59 and 69). However, having only the "report" of the tests without direct knowledge of the tests themselves reflected in the record , I think it reasonable to assert that Frazier had only secondhand knowledge of the tests.

(2) While Agent Frazier never actually uses the specific word "inconclusive" in his testimony on the tests, I believe that the relevant passages could sometimes be interpretted as such; I have not been able to find an instance in this area where he uses the term "cocnsistant with." Therefore, I withdraw my assertion concerning Frazier's use of "inconclusive" as you described it and, again, offer my sincere apologies for not reflecting the exact semantics of this particular testimony. I quote the two references pertinent to this discussion for your convenience.

Specter: Were the tests sufficient to indicate conclusively whether fragments 840 could have come from the fragment designated as 567?
Frazier: No, sir. (volume 5, page 67)

****

Specter: Is it possible to state with any more certainty whether or not any of those fragments came from the same bullet?
Frazier: Not definitely, no...(volume 5, page 74)

I hope you will accept my appologies for any instance in which I inadvertantly failed to reflect the exact semantics of the record. However, I do not believe that the above mentioned instances alter the essence of my criticism. Whether or not he explicitly said so (and I think his remarks could easily be construed as "saying so"), Frazier was not the man to give testimony on the results and especially the meaning of the spectrographic analysis. It is clear that this was neither his expertise nor his task. Therefore, I do not believe we should accept Mr. Frazier's testimony on this point. This is not to say that he was untruthful. He gave testimony based on a report which he read. If you will permit me to make the

analogy, Frazier also read the autopsy report, yet I hardly would have expected him to testify on the autopsy findings and their significance.

Spectrographic analysis determines percentages of composition to a very fine degree. In the case of bullet specimens, the essential knowledge is the exact amount of what are known as "trace metals" such as antimony, barium, and arsenic for these will vary minutely from bullet to bullet. Therefore, I'm sure you can appreciate the fact that Frazier's repeated use of terms such as "lead composition" and "similar in composition" is not the detail warranted by such detailed tests. In light of the precise data which spectrographic analysis can yield, such designations are meaningless.

Nevertheless, I do not wish to idle on points such as why a certain man was asked a certain question, why someone said only so much,etc. That which underlies all of this and which I sought information on was the actual written report with all significant details of the spectrographic analysis. In this document lie the conclusive answers. If, for instance, the amount of trace metals found in the fragments removed from Governor Connally's arm does not match exactly those found in the bullet which the Commission seems to think wounded the governor, CE 399, then it will be conclusively shown once and for all that this bullet did not hit Connally. If, on the other, the trace metals are identical and it can be reasonably shown that perhaps another bullet prepared from the same batch of metal was not used, then we will have the incontrovertable proof that 399 did wound Connally. Without knowing the results of the tests, neither you nor I can say whether the Governor was hit by 399.

So, I pose once more my original question: Why were these crucial tests never admitted into evidence by the Commission when they were the conclusive proof or disproof of what currently are but theories? Here I refer to the actual detailed results of the spectrographic analysis, with the percentage of composition and the appropriate explanations.

I hope that you can meaningfully answer my question. However, I did want to settle with you the differences which arose over the semantics of the sworn testimony.

Very Sincerely yours,

Howard Roffman
8829 Blue Grass Rd.
Philadelphia, Pa. 19152

cc. Mr. Jack McKinney